

Attorney's Docket: 2000DE402D

Serial No.: 10/668,005

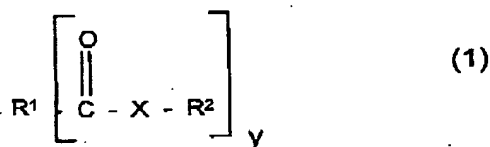
Art Unit 1714

Response to Office Action Mailed 03/27/2006

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) An additive for improving cold-flow and lubricating properties of fuel oils, comprising

A) 5 – 95% by weight of at least one oil-soluble amphiphile of the formula 1



and/or 2



in which R¹ is an alkyl, alkenyl, hydroxyalkyl or aromatic radical having [[1 to 50]] 12 - 35 carbon atoms, X is NH, NR³, O or S, y is 1, 2, 3 or 4, R² is hydrogen or an alkyl radical carrying hydroxyl groups and having 2 to 10 carbon atoms and R³ is an alkyl radical carrying nitrogen [[and/or]] or hydroxyl groups or mixtures of nitrogen and hydroxyl groups and having 2 to 10 carbon atoms or C₁-C₂₀-alkyl, wherein component A) has from 2 to 5 free hydroxyl groups wherein each carbon atom has no more than one hydroxyl group and

B) 5 to 95% by weight of a terpolymer containing from [[10 to 35]] 3 to 18 mol% of structural units derived from the vinyl ester of a carboxylic acid having 2 to 4 carbon atoms, from [[1 to 15]] 0.5 to 10 mol% of structural units derived from the vinyl ester of a neocarboxylic acid having 8 to 15 carbon atoms, and structural units of ethylene to 100 mol%, and having a melt viscosity, measured at 140°C, of from 20 to 10,000 mPas.

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2.(Originally Filed) The additive as claimed in claim 1, wherein R¹ and R² together contain at least 15 carbon atoms.

3.(Originally Filed) The additive as claimed in claim 1, wherein component A) is an ester of a carboxylic acid with a polyol having 2 to 8 carbon atoms.

4.(Canceled)

5.(Previously Presented) The additive as claimed in claim 1, wherein component A) is selected from the group consisting of a fatty acid alkanolamine, a fatty acid alkanolamide, and mixtures thereof.

6.(Previously Presented) The additive as claimed in claim 1, wherein the melt viscosity at 140°C of said terpolymer of component B) ranges from 50 to 5000 mPas.

7.(Previously Presented) The additive as claimed in claim 1, wherein the vinyl ester of a neocarboxylic acid of said terpolymer of component B) is a vinyl ester selected from the group consisting of neononanoic, neodecanoic, neoundecanoic acid, and mixtures thereof.

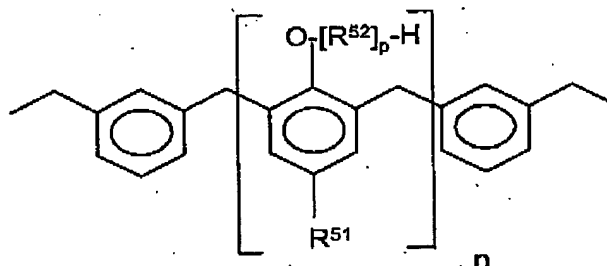
8.(Previously Presented) The additive as claimed in claim 1, wherein component A) is a fatty acid having 12 to 30 carbon atoms.

9.(Previously presented) A fuel oil comprising the additive as claimed in claim 1.

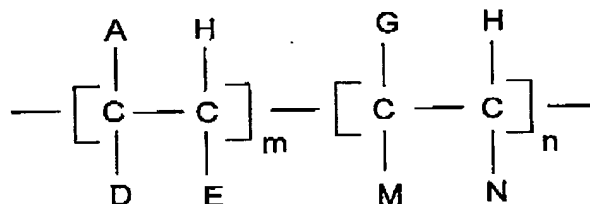
10.(Canceled)

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11. (Previously presented) An additive mixture comprising the additive of claim 1 and paraffin dispersants of the formula



in which R^{51} is C_4 - C_{50} -alkyl or C_4 - C_{50} -alkenyl, $O-[R^{52}]_p-H$ is ethoxy and/or propoxy, n is a number from 5 to 100 and p is a number from 0 to 50,
or comb polymers of the formula



in which

- A is R' , $COOR'$, $OCOR'$, $R''-COOR'$ or OR' ;
- D is H, CH_3 , A or R'' ;
- E is H or A;
- G is H, R'' , $R''-COOR'$, an aryl radical or a heterocyclic radical;
- M is H, $COOR''$, $OCOR''$, OR'' or $COOH$;
- N is H, R'' , $COOR''$, $OCOR''$, $COOH$ or an aryl radical;
- R' is a hydrocarbon chain having 8 to 150 carbon atoms;
- R'' is a hydrocarbon chain having 1 to 10 carbon atoms;
- m is a number from 0.4 to 1.0; and
- n is a number from 0 to 0.6, the mixing ratio of said additive to paraffin dispersant or comb polymer being from 1:10 to 20:1.